PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
:	Examiner: D. Tran
DAVID B. DWYER, ET AL.)	
:	Group Art Unit: 3661
Application No.: 09/680,280)	
:	
Filed: October 6, 2000)	
:	
For: SYSTEM AND METHOD FOR)	August 27, 2004
TEXTUALLY DISPLAYING AN :	
ORIGINAL FLIGHT PLAN AND A)	
MODIFIED FLIGHT PLAN :	
SIMULTANEOUSLY)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action dated July 27, 2004, Applicants are submitting

herewith the following remarks in support of the patentability of Claims 1-51.

REMARKS

Claims 1-51 are presented for consideration. Claims 1, 11, 18, 28, 38 and 39

are the independent claims.

Claims 1-5, 8, 9, 11-15, 28-32, 35, 36, 38-42, 45, 46 and 48-51 remain rejected

under 35 U.S.C. §102(e) as allegedly being anticipated by Deker '987. In addition, Claims 6, 7,

10, 16, 17, 33, 34, 37, 43, 44 and 47 are rejected under 35 U.S.C. §103 as allegedly being obvious over Deker in view of Lions '632. Claims 18-27 are rejected for the same reasons applied to Claims 1-10. These rejections are respectfully traversed.

Representative Claim 1 of Applicants' invention is directed to a navigational system comprised of a display device that includes a graphical display portion and a textual display portion, and logic for controlling the display device. As claimed, the logic presents a textual display of an original flight plan and a modified flight plan in the textual display portion while, at the same time, the original flight plan is graphically displayed.

As discussed previously, the primary reference to Deker relates to a navigational system that includes a display screen 11 divided into a graphical display portion 27 and a textual display portion 28. Deker can provide alternate flight plan solutions to a pilot in response to an "event" or an emergency.

The Office Action maintains its position that Deker is capable of presenting a textual display of an original flight plan and a modified flight plan in the textual display portion 28 while also presenting a graphical display of the original flight plan in the graphical display portion 27. Applicants respectfully disagree with this position, and wish to respond to each of the four portions of Deker relied upon in the Office Action (page 7) in support of its position.

First of all, column 4, lines 36-64 of Deker is relied upon for teaching that the textual window 28 provides a number of parameters of the flight plan followed by the aerodyne, as well as the diversion flight plan (emphasis added). The Office Action asserts that it is obvious that the parameters relate to the flight plan themselves. In response to this assertion, however, it is respectfully submitted that while the parameters may relate to the flight plan they simply do not constitute the actual flight plan. As disclosed, the parameters relate to, for example, the

distance still to be traveled, the amount of time required, the volume of fuel remaining at the destination, etc. Providing the "parameters" in the textual display cannot be used for a teaching or suggestion of presenting the original flight plan and a modified flight plan in the textual display, as set forth in Applicants' Claim 1.

The Office Action also relies on column 5, lines 15-38 of Deker for a teaching that display screen 21 presents the textual display of the original flight plan and the modified flight plan while simultaneously presenting a graphical display of the original flight plan. It is respectfully submitted, however, that this is not what this portion of Deker teaches. As understood, beginning on line 28 of column 5, it is disclosed that a computer 2 determines various flight plan solutions and prepares various flight plans leading to each airport, taking into account the criteria of selection and optimization indicated on the textual part 28 of the screen (emphasis added). This portion of Deker does not say that an original flight plan and a modified flight plan are textually displayed, but rather that "criteria of selection" and "optimization" are "indicated" in the "textual part 28" (see lines 35-38).

With respect to column 7, lines 19-38, Deker discloses that the textual display 28 provides "significant parameters" (line 36) enabling the active flight plan to be compared with the diversion flight plan. Again, it is respectfully submitted that only parameters of the flight plan are provided in the textual window, and these parameters are not the actual active flight plan and the avoidance flight plan.

Finally, in column 8, lines 7-19, Deker again discloses providing information in a textual window, including parameters of the active flight plan and the avoidance flight plan. The Office Action states that the parameters in a textual window represent the flight plan

themselves (emphasis added). It is respectfully submitted, however, that this is not the case, as the parameters of the flight plans are distinct from the actual flight plans.

Accordingly, for the reasons stated, it is respectfully submitted that Deker fails to teach or suggest Claim 1 of Applicants' invention, as it does not present a textual display of the original flight plan and the modified (avoidance) flight plan while also graphically displaying the original flight plan. The remaining independent claims are also patentably distinct from Deker.

Independent Claim 11 relates to a navigational system that includes, among other features, logic means for simultaneously, textually displaying an original flight plan and a modified flight plan in the textual portion while the original flight plan is graphically displayed.

Claim 18 relates to a method of displaying a flight plan and includes the steps of simultaneously displaying a textual display of an original flight plan and a modified flight plan in the textual display portion while the original flight plan is graphically displayed.

Claim 28 relates to a computer executable code for executing the step of simultaneously displaying a textual display of an original flight plan and a modified flight plan while graphically displaying the original flight plan.

Claim 38 relates to a navigational system that includes logic that simultaneously presents a textual display of an original flight plan and a modified flight plan on a display device while graphically displaying the original flight plan.

Claims 11, 18, 28 and 38 are submitted to be patentable over the cited art for at least the same reasons discussed above with respect to Claim 1.

Lastly, Claim 39 relates to a navigational system that includes logic for simultaneously presenting a textual display of comparative data for an original flight plan and a

modified flight plan on the display device while the original flight plan is graphically displayed. It is also submitted that this feature is missing in Deker.

Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §102(e) is respectfully requested.

The secondary citation to Lions relates to a navigation system and was cited for its teaching of removing textual display waypoints on the original flight plan. Lions fails, however, to compensate for the deficiencies in Deker as discussed above with respect to Applicants' independent claims.
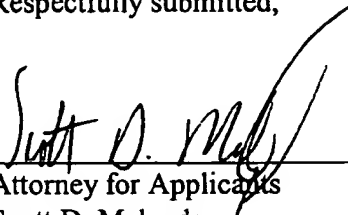
Accordingly, it is submitted that the proposed combination of Deker and Lions, even if proper, still fails to teach or suggest Applicants' claimed invention. Therefore, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103 is respectfully requested.

It is submitted, therefore, that Applicants' invention as set forth in independent Claims 1, 11, 18, 28, 38 and 39 is patentable over the cited art. In addition, dependent Claims 2-10, 12-17, 19-27, 29-37 and 40-51 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to Honeywell's address given below.

Respectfully submitted,

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